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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/815,247	03/22/2001	Paul H. Maier JR.	1768.2002-000	6487

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EXAMINER

POPE, DARYL C

ART UNIT PAPER NUMBER

2632

DATE MAILED: 06/17/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/815,247

Applicant(s)

MAIER

Examiner

DARYL C. POPE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Mar 20, 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-27 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

ART REJECTION:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. **Claims 1,5-7,9-11,14-16,18-20,22-23, and 25-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Furtado et al(6,281,789).**

-- In considering **claims 1,10,19-20** the claimed subject matter that is met by Furtado et al(Furtado) includes:

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1) the claimed audible alarm is met by the notification appliances(21)

2) the claimed control panel is met by the system controller(14);

3) the claimed pair of lines is met by the pair of power lines(18,20);

4) the claimed controller of the audible alarm is met by the microcontroller(42);

5) the claimed controller controlling the audible alarm in response to the remote control signal is met by the system controller sending control messages to appliances(21) via power lines(18,20) so as to activate alarms signals(see: column 3, lines 40-58).

-- **Claims 5 and 14-15** recite subject matter that was met as discussed in claims 1 and 10 above, respectively, as well as:

1) the claimed controller being a microcontroller that receives the control signal from the control panel over the pair of lines is met by the microcontroller receiving signals from the system controller(14) via communications decoder(38, column 4, lines 32-51).

-- **Claims 6 and 11** recite subject matter that was met as discussed in claims 5 and 10 above, respectively, as well as:

1) the claimed panel supplying power to the alarm over the pair of lines is met(see: column 3, lines 3-39).

-- **Claim 7** recites subject matter that was met as discussed in claim 5 above, as well as:

1) the claimed communications receiver that receives and interprets the control signal is met by the communications decoder(38, column 4, lines 32-41).

-- **Claim 9** recites subject matter that was met as discussed in claim 1 above, as well as:

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1) the claimed plurality of distinct audible patterns is met by the different commands which cause annunciation of different alarm patterns(see: column 4, lines 5-17).

-- In considering **claim 16**, the claimed subject matter that is met by Furtado includes:

- 1) the claimed audible alarm is met by the notification appliance(21);
- 2) the claimed alarm generator is met by the audible alarm(52);
- 3) the claimed signal selector is met by the microcontroller(42) which controls operation of the audible alarm(52) based on a remote control signal(see: column 4, lines 32-51);
- 4) the claimed pair of lines is met by the power lines(18,20);
- 5) the claimed control panel is met by the system controller(14).

-- **Claim 18** recites subject matter that was met as discussed in claim 16 above, as well as:

- 1) the claimed pair of lines supplying power to the audible alarm is met(see: column 3, lines 24-39).

-- **Claims 22-23** and **25-27** recite methods that are met with reference to the discussion of the apparatus of claim 1 above.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 2-3,8,12-13,17,21, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furtado et al(Furtado).

-- **Claims 2-3,8,12-13,17,21, and 24** recite subject matter that was met by Furtado as discussed in the claims above, except for:

- 1) the claimed prerecorded voice message(claims 2,12,17,21,24);
- 2) the claimed message being stored at the audible alarm(claims 3,13);
- 3) the claimed at least one of the alarm signals including a plurality of distinct tones(claim 8).

With regards to the claimed prerecorded voice message and the message being stored at the audible alarm, the examiner takes official notice that in the audible alarm art, use of prerecorded messages stored at the audible alarm of annunciating audible alarms is well known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a prerecorded voice message stored at the audible alarm into the notification appliances(21) of Furtado, since one of ordinary skill would have recognized the advantage and necessity of prerecorded voice messages for particular alarm applications, such as building fire alarms, since they would have provided useful information for informing occupants specific safety related messages based on specific alarm scenarios.

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Furthermore, storing the messages at the appliances would have ensured the integrity of the voice message, since the message would not have been required to travel over signal lines from a remote location.

With regards to the plurality of distinct tones, since Furtado already teaches utilization of distinct alarm patterns, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate plural distinct tones into the audible alarms as well, since this would have further distinguished one alarm pattern from another which is already desired by Furtado.

REMARKS:

Response to Arguments

5. Applicant's arguments with respect to claims 1-3, and 5-27 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

In related art, Jen et al(6,472,980) discloses an audible alarm system in which separate audible alarms receive alarm patterns from a control panel.

7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

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or faxed to:

(703) 872-9314(for formal communications intended for entry)

and as well:

(703) 872-9314(for informal or draft communications, please label
"PROPOSED" or "DRAFT")


Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington, VA., Sixth Floor(Receptionist).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daryl C. Pope whose telephone number is (703) 305-4838. The examiner can normally be reached on M-Th from 7:30 to 6:00 since the examiner works on a compressed work schedule in which every Friday is the examiner's day off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu, can be reached on (703) 308-6730. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Daryl C. Pope


DARYL POPE
PRIMARY EXAMINER

May 28, 2003